

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Case No. 12-12020 (MG)
)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,)	Chapter 11
)	
Debtors.)	Jointly Administered
)	

**ORDER GRANTING DEBTORS' EIGHTH OMNIBUS OBJECTION TO CLAIMS
(REDUNDANT BORROWER CLAIMS)**

Upon the eighth omnibus claims objection, dated May 1, 2013 (the "Eighth Omnibus Claims Objection"),¹ of Residential Capital, LLC and its affiliated debtors in the above-referenced Chapter 11 Cases, as debtors and debtors in possession (collectively, the "Debtors"), seeking entry of an order, pursuant to section 502(b) of title 11 of the United States Code (the "Bankruptcy Code"), Rule 3007(d) of the Federal Rules of Bankruptcy Procedure, and this Court's order approving procedures for the filing of omnibus objections to proofs of claim [Docket No. 3294] (the "Procedures Order"), disallowing and expunging the Redundant Borrower Claims on the basis that such claims are duplicates of (though not identical to) corresponding claims, all as more fully described in the Eighth Omnibus Claims Objection; and it appearing that this Court has jurisdiction to consider the Eighth Omnibus Claims Objection pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Eighth Omnibus Claims Objection and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Eighth Omnibus Claims Objection having been provided, and it

¹ Capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to such terms in the Debtors' Eighth Omnibus Claims Objection.

appearing that no other or further notice need be provided; and upon consideration of the Eighth Omnibus Claims Objection and the Declaration of Deanna Horst in Support of Debtors' Eighth Omnibus Objection to Claims (Redundant Borrower Claims), annexed to the Objection as Exhibit 1; and the Court having found and determined that the relief sought in the Eighth Omnibus Claims Objection is in the best interests of the Debtors, their estates, creditors, and all parties in interest and that the legal and factual bases set forth in the Eighth Omnibus Claims Objection establish just cause for the relief granted herein; and the Court having determined that the Eighth Omnibus Claims Objection complies with the Borrower Claim Procedures set forth in the Procedures Order; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the Eighth Omnibus Claims Objection is granted to the extent provided herein; and it is further

ORDERED that, pursuant to section 502(b) of the Bankruptcy Code, the claims listed on Exhibit A annexed hereto under the heading "Claims to be Disallowed and Expunged" (collectively, the "Redundant Borrower Claims") are disallowed and expunged; and it is further

ORDERED that Kurtzman Carson Consultants LLC, the Debtors' claims and noticing agent, is directed to disallow and expunge the Redundant Borrower Claims identified on the schedule attached as Exhibit A hereto so that such claims are no longer maintained on the Debtors' official claims register; and it is further

ORDERED that the claims listed on Exhibit A annexed hereto under the heading "Surviving Claims" (collectively, the "Surviving Claims") will remain on the claims register, and such claims are neither allowed nor disallowed at this time; and is further

ORDERED that the disallowance and expungement of the Redundant Borrower Claims does not constitute any admission or finding with respect to any of the Surviving Claims; and it is further

ORDERED that the Debtors are authorized and empowered to take all actions as may be necessary and appropriate to implement the terms of this Order; and it is further

ORDERED that notice of the Eighth Omnibus Claims Objection as provided therein shall be deemed good and sufficient notice of such objection, and the requirements of Bankruptcy Rule 3007(a), the Case Management Procedures entered on May 23, 2012 [Docket No. 141], the Procedures Order, and the Local Bankruptcy Rules of this Court are satisfied by such notice; and it is further

ORDERED that this Order has no res judicata, estoppel, or other effect on the validity, allowance, or disallowance of any Surviving Claims, and the Debtors' and all party in interest's rights to object on any basis are expressly reserved with respect to any Surviving Claim listed on Exhibit A annexed hereto or any other claim not listed on Exhibit A; and it is further

ORDERED that this Order shall be a final order with respect to each of the Redundant Borrower Claims identified on Exhibit A, annexed hereto, as if each such Redundant Borrower Claim had been individually objected to; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: July 15, 2013
New York, New York

/s/Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge

Exhibit A

In re RESIDENTIAL CAPITAL, LLC, et al. (CASE NO. 12-12020 (MG)) (JOINTLY ADMINISTERED)

EIGHTH OMNIBUS OBJECTION - REDUNDANT CLAIMS (BORROWER CLAIMS)

Claims to be Disallowed and Expunged							Surviving Claims					
	Name of Claimant	Claim Number	Date Filed	Claim Amount	Asserted Debtor Name	Asserted Case Number	Name of Claimant	Claim Number	Date Filed	Claim Amount	Asserted Debtor Name	Asserted Case Number
1	Albina Tikhonov - Legal Holder of Paramount Interest (Secured Party Creditor) 14713 Valleyheart Drive Sherman Oaks, CA 91403	1066	10/09/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$950,000.00 Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020	Albina Tikhonov - Legal Holder of Paramount Interest (Secured Party Creditor) 14713 Valleyheart Drive Sherman Oaks, CA 91403	1341	10/15/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$950,000.00 Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020
2	Caren Wilson Caren, Beneficiary for the Estate of Caren (Karen) Wilson 633 Sunset Lane Culpeper, VA 22701	2431	11/06/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$5,050,000.00 Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020	Caren Wilson Caren, Beneficiary for the Estate of Caren (Karen) Wilson 633 Sunset Lane Culpeper, VA 22701	4754	11/14/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$5,050,000.00 Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020
3	Glenn Michael Prentice/Douglas Bennett et al 37655 Palmar Clinton Township, MI 48036	419	08/20/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$400,000.00 Secured \$0.00 Priority \$3,600,000.00 General Unsecured	Residential Capital, LLC	12-12020	Glenn Michael Prentice / Douglas Bennett et al 37655 Palmar Clinton Township, MI 48036	429	08/21/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$400,000.00 Secured \$0.00 Priority \$3,600,000.00 General Unsecured	Residential Capital, LLC	12-12020
4	Jae S. Park and Hollie H. Park c/o Pak & Moring PLC 8930 E. Raintree Drive, Suite 100 Scottsdale, AZ 85260	1423	10/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$424,000.00 General Unsecured	GMAC Mortgage USA Corporation	12-12031	Jae S. Park and Hollie H. Park c/o Pak & Moring PLC 8930 E. Raintree Drive, Suite 100 Scottsdale, AZ 85260	1904	10/29/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$424,000.00 General Unsecured	GMAC Mortgage USA Corporation	12-12031
5	Jeffrey Cohen 7914 Ridgeglen Circle West Lakeland, FL 33809	1312	10/16/2012	\$89,764.61 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$0.00 General Unsecured	GMAC Mortgage USA Corporation	12-12031	Jeffrey Cohen 7914 Ridgeglen Circle West Lakeland, FL 33809	1313	10/16/2012	\$89,764.61 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$0.00 General Unsecured	GMAC Mortgage USA Corporation	12-12031
6	Lureather C. Rouse 13106 Beachwood Ave. Cleveland, OH 44105	3618	11/08/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured UNLIQUIDATED Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020	Lureather C. Rouse 13106 Beachwood Ave. Cleveland, OH 44105	4144	11/09/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$64,400.00 Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020
7	Mihailescu Florin PMB 545 8776 E Shea Blvd # 33A Scottsdale, AZ 85260-6629	50	06/01/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$496,000.00 Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020	Mihailescu Florin PMB 545 8776 E Shea Blvd # 33A Scottsdale, AZ 85260-6629	274	07/09/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$496,000.00 Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020
8	Mountain State Justice Inc on behalf of Maryann Smith Maryann Smith vs GMAC Mortgage, LLC and the Bank of New York Mellon Company, N.A. 1031 Quarrier Street, Suite 200	4092	11/09/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$74,999.99 General Unsecured	GMAC Mortgage, LLC	12-12032	Maryann Smith vs GMAC Mortgage LLC and The Bank of New York Mellon Company NA Mountain State Justice Inc 1031 Quarrier St Ste 200 Charleston, WV 25301	4743	11/14/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$74,999.00 General Unsecured	GMAC Mortgage, LLC	12-12032
9	Patricia J. McNerney Susan Marie Gray, Attorney at Law 22255 Center Ridge Road, Suite 201 Rocky River, OH 44116	3880	11/09/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$600,000.00 General Unsecured	Homecomings Financial, LLC	12-12042	Patricia J. McNerney Susan Marie Gray, Attorney at Law 22255 Center Ridge Road, Suite 201 Rocky River, OH 44116	4762	11/14/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$600,000.00 General Unsecured	Homecomings Financial, LLC	12-12042

In re RESIDENTIAL CAPITAL, LLC, et al. (CASE NO. 12-12020 (MG)) (JOINTLY ADMINISTERED)

EIGHTH OMNIBUS OBJECTION - REDUNDANT CLAIMS (BORROWER CLAIMS)

Claims to be Disallowed and Expunged							Surviving Claims					
	Name of Claimant	Claim Number	Date Filed	Claim Amount	Asserted Debtor Name	Asserted Case Number	Name of Claimant	Claim Number	Date Filed	Claim Amount	Asserted Debtor Name	Asserted Case Number
10	Patricia J. McNeerney Susan Marie Gray, Attorney at Law 22255 Center Ridge Road, Suite 201 Rocky River, OH 44116	3941	11/09/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$600,000.00 General Unsecured	GMAC Mortgage, LLC	12-12032	Patricia J. McNeerney Susan Marie Gray, Attorney at Law 22255 Center Ridge Road, Suite 201 Rocky River, OH 44116	4764	11/14/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$600,000.00 General Unsecured	GMAC Mortgage, LLC	12-12032
11	Patti Ann Tetherow 807 SE 1st St Evansville, IN 47713	3677	11/08/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$337,420.00 Secured \$2,836.00 Priority \$0.88 General Unsecured	Residential Capital, LLC	12-12020	Patti Ann Tetherow 807 SE 1st St Evansville, IN 47713	3819	11/09/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$337,420.00 Secured \$2,836.00 Priority \$0.88 General Unsecured	Residential Capital, LLC	12-12020
12	Thomas G. Cooper and Catherine D. Cooper PO Box 1073 Salem, NH 03079-1073	4912	11/15/2012	UNLIQUIDATED Administrative Priority \$0.00 Administrative Secured \$50,000.00 Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020	Thomas G. Cooper and Catherine D. Cooper PO Box 3671 Concord, NH 03302-3671	6270	11/09/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$50,000.00 Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020
13	Tia Smith 4011 Hubert Avenue Los Angeles, CA 90008	3841	11/09/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$3,000,000.00 General Unsecured	Residential Accredit Loans, Inc.	12-12052	Tia Smith 4011 Hubert Avenue Los Angeles, CA 90008	4139	11/09/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$3,000,000.00 General Unsecured	Residential Accredit Loans, Inc.	12-12052
14	Tia Smith 4011 Hubert Avenue Los Angeles, CA 90008	3849	11/09/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$3,000,000.00 General Unsecured	Homecomings Financial, LLC	12-12042	Tia Smith 4011 Hubert Ave. Los Angeles, CA 90008	4129	11/09/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$3,000,000.00 General Unsecured	Homecomings Financial, LLC	12-12042
15	Tia Smith 4011 Hubert Avenue Los Angeles, CA 90008	3851	11/09/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$3,000,000.00 General Unsecured	GMAC Mortgage, LLC	12-12032	Tia Smith 4011 Hubert Avenue Los Angeles, CA 90008	3889	11/09/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$3,000,000.00 General Unsecured	GMAC Mortgage, LLC	12-12032
16	Tia Smith 4011 Hubert Avenue Los Angeles, CA 90008	3853	11/09/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$3,000,000.00 General Unsecured	Residential Funding Company, LLC	12-12019	Tia Smith 4011 Hubert Avenue Los Angeles, CA 90008	4134	11/09/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$3,000,000.00 General Unsecured	Residential Funding Company, LLC	12-12019
17	Tomas Diaz 5200 SW 122 Ave Miami, FL 33175	1913	10/29/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$400,000.00 Secured \$0.00 Priority \$0.00 General Unsecured	Homecomings Financial, LLC	12-12042	Tomas Diaz 5200 SW 122 Ave Miami, FL 33175	4702	11/14/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$400,000.00 Secured \$0.00 Priority \$0.00 General Unsecured	Homecomings Financial, LLC	12-12042
18	Wekesa O Madzimoyo vs The Bank of New York Mellon Trust Company NYBMT NA formerly known as The Bank of New York et al 852 BRAFFERTON PL STONE MOUNT, GA 30083	3691	11/08/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$2,275,000.00 General Unsecured	GMAC Mortgage, LLC	12-12032	Wekesa O Madzimoyo vs The Bank of New York Mellon Trust Company NYBMT NA formerly known as The Bank of New York et al 852 BRAFFERTON PL STONE MOUNT, GA 30083	5800	11/20/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$2,275,000.00 General Unsecured	GMAC Mortgage, LLC	12-12032